

<div style="border: 1px solid black; width: 60px; height: 60px; margin: 0 auto;"></div>		CLASSIFICATION	FOR OFFICIAL USE ONLY
		CENTRAL INTELLIGENCE AGENCY INFORMATION FROM FOREIGN DOCUMENTS OR RADIO BROADCASTS	REPORT CD NO.
COUNTRY	Hungary	DATE OF INFORMATION	1951
SUBJECT	Economic; Political - Organization, publication of decrees	DATE DIST.	29 Apr 1952
HOW PUBLISHED	Sociological - New publication Irregular newspaper	NO. OF PAGES	6
WHERE PUBLISHED	Budapest	SUPPLEMENT TO REPORT NO.	
DATE PUBLISHED	19 Dec 1951		
LANGUAGE	Hungarian		

THIS DOCUMENT CONTAINS INFORMATION AFFECTING THE NATIONAL DEFENSE OF THE UNITED STATES WITHIN THE MEANING OF EXECUTIVE ORDER NO. 12958, OF OCTOBER 17, 1950, AS AMENDED. ITS TRANSMISSION OR THE REVELATION OF ITS CONTENTS IN ANY MANNER TO AN UNAUTHORIZED PERSON IS PROHIBITED BY LAW. REPRODUCTION OF THIS FORM IS PROHIBITED.

THIS IS UNEVALUATED INFORMATION

SOURCE Magyar Kozlony.

WILL CREATE LIMITED-CIRCULATION OFFICIAL GAZETTE;
REGULATE PUBLICATION OF HUNGARIAN DECREES, ORDERS

The Hungarian Council of Ministers has issued Resolution No 1,038, dated 19 December 1951, creating a new official gazette with circulation limited to ministers and high officials and regulating the method of publication of decrees and other official orders. The following is a comprehensive summary of the resolution.

Currently, the highest organs of the state administration are issuing their regulations (rendeletek) in various forms which have not been defined sufficiently. There is no uniform practice as to when a decree (rendelet), resolution (határozat), or order (utasítás) is to be issued.

The method of publication of regulations employed by the highest organs of the state administration is also unsatisfactory. In general, the regulations are disseminated in press organs with a wide circulation, which enables unauthorized persons to gain knowledge of the internal affairs of the state administration.

The style of the regulations is also open to criticism. Some of the regulations lack clarity; their sentence structure and wording are frequently involved and artificial, and cannot be understood by the workers.

To eliminate these defects, the Council of Ministers has adopted the following resolution.

I. REGULATIONS OF THE HIGHEST ORGANS
OF THE STATE ADMINISTRATION

1. The regulations of the Council of Ministers are issued in the form of decrees or resolutions and are binding on every person residing in the country and on Hungarian citizens living abroad.

- 1 -

CLASSIFICATION		FOR OFFICIAL USE ONLY	
STATE	<input checked="" type="checkbox"/> NAVY	<input checked="" type="checkbox"/> NSRB	DISTRIBUTION
ARMY	<input checked="" type="checkbox"/> AIR	<input checked="" type="checkbox"/> FBI	

STAT

2. A decree is issued by the Council of Ministers usually when the new regulation affects not only state organs and enterprises but also the rights and duties of the citizens. However, in certain cases, such regulations may also be issued in the form of resolutions.

New criminal acts, as well as misdemeanors, are defined by the Council of Ministers by decree only. However, a resolution may be used to classify as a criminal act an act which has heretofore been classified as a misdemeanor.

3. All other regulations of the Council of Ministers are issued in the form of resolutions. A resolution is issued by the Council of Ministers specifically when the new regulation:

a. Affects several departments of the state administration for a long period of time: or

b. Affects state organs and enterprises only.

Sanctions applicable in connection with the resolutions of the Council of Ministers are contained in existing decrees or will be issued in special decrees in the future.

4. Regulations of the various ministers and of the President of the National Planning Office are issued in the form of decrees or orders. The regulations of the other major public authorities (State Office for Religious Affairs, National Physical Education and Sports Commission, State Control Center, National Wage Commission, Central Statistical Office, Manpower Reserve Office) are issued in the form of orders.

A decree is generally issued by a minister (or the President of the National Planning Office) when the new regulation affects not only state organs and enterprises, but also the rights and duties of the citizens. A decree may be issued by a minister on matters pertaining to his jurisdiction according to Paragraph 26 of the Constitution: or by a minister or the President of the National Planning Office on the basis of a law, or by special authorization of a decree or resolution of the Council of Ministers.

All other regulations are issued by the ministers and the President of the National Planning Office in the form of orders. A decree or order may be issued jointly by several ministers or chiefs of major public authorities.

5. Orders issued by the ministers and the major public authorities are binding on state organs and enterprises.

Within the jurisdiction of the ministries and the major public authorities, only the minister or chief of the major public authority, or their deputies, may issue decrees or orders of general validity.

6. Both decrees and resolutions of the Council of Ministers may be modified or rescinded by a decree of the Council of Ministers. The resolutions of the Council of Ministers, as well as any decrees of the Council of Ministers which include provisions concerning matters defined under 3, above, may be modified or rescinded by a resolution of the Council of Ministers.

Ministerial decrees and orders can be modified only by ministerial decrees or orders, by a law, or by a decree or resolution of the Council of Ministers.

STAT

II. PUBLICATION OF THE REGULATIONS OF THE HIGHEST ORGANS OF THE STATE ADMINISTRATION

7. The regulations of the highest organs of the state administration must be disseminated in one of the following ways:

- a. In the Official Gazette (Magyar Kozlony)
- b. In the Collection of Resolutions (Hatarozatok Tara)
- c. In the official gazette of a ministry or major public authority
- d. By confidential communication.

8. The following items must be published in the Official Gazette:

- a. Appointments and assignments by the Presidential Council and the Council of Ministers
- b. Awards and decorations
- c. Laws, the decrees of the Presidential Council, and all resolutions of the Presidential Council the publication of which is mandatory
- d. Decrees of the Council of Ministers and all of its resolutions publication of which has been ordered by the Council of Ministers
- e. Ministerial decrees and all decrees of the National Planning Office which are not published in the National Planning Bulletin according to Decree No 14 of the Council of Ministers of 17 January 1951.

This regulation does not affect the validity of Decree No 22 of 1950 regarding the method of publication of laws and of the resolutions of the national government and of the highest organs of the state administration. The method of publication of price-regulating decrees is also excepted from the present regulation and will continue to be governed by Decree No 14 of the Council of Ministers of 17 January 1951.

9. Public circulation of the Official Gazette will continue. Information on the laws and resolutions which appear in the Official Gazette must be disseminated in the official publications of the various ministries and major public authorities. According to need, the main parts of the laws and resolutions are summarized, the implementing provisions quoted, or the source of the implementing provisions indicated. In certain cases, only a statement is published to the effect that the law or resolution in question must be carried out immediately.

10. Besides the Official Gazette a new official gazette entitled Collection of Resolutions must be created. The Collection of Resolutions will publish:

- a. All resolutions of the Council of Ministers which are to be made public when publication in the Official Gazette has not been ordered by the Council of Ministers
- b. All resolutions of the National Economic Council which are to be made public
- c. All orders of the ministers and major public authorities which affect the jurisdiction of several ministries. However, such orders may also be published, according to need, in the official gazettes of the ministries

STAT

concerned. The Minister of Finance and the President of the National Planning Office will continue to publish their regulations affecting several ministries in their own official gazettes.

The Collection of Resolutions will be published as necessary. The Collection of Resolutions of the National Economic Council ceases publication. The resolutions of the National Economic Council will appear in the Collection of Resolutions.

The Official Gazette of the National Wage Commission /O. M. B. Kozlony/ ceases publication. Orders of the National Wage Commission affecting a single ministry will be published in the official gazette of the ministry concerned; orders affecting several ministries will be published in the Collection of Resolutions or, if necessary, in the Official Gazette.

11. The Collection of Resolutions is circulated only among the ministers and deputy ministers, the chiefs and deputy chiefs of the major public authorities, department heads and specifically designated officials of the ministries and major public authorities, and -- for information -- among the presidents, deputy presidents, and secretaries of the county councils and of the Budapest City Council.

Resolutions and orders appearing in the Collection of Resolutions will be carried out in the same manner as decrees and resolutions published in the Official Gazette. Each ministry and major public authority is required to summarize, or publish in full, in its own official gazette all resolutions and orders which affect its own jurisdiction, together with implementing regulations.

In case of urgency it is permissible to publish the resolutions of the Council of Ministers or of the National Economic Council, together with implementation, in the official gazettes of the various ministries or of the major public authorities prior to publication in the Collection of Resolutions. In such cases the Presidential Office of the Council of Ministers /hereinafter Presidential Office/ and the Secretariat of the National Economic Council, respectively, must be notified in advance.

12. The Official Gazette and the Collection of Resolutions are published by the Presidential Office.

It is the responsibility of the Presidential Office to see that only laws and regulations which have been authorized for inclusion in the Official Gazette or the Collection of Resolutions are published in the respective publication and also that all authorized laws and regulations are so published. In case the Presidential Office should discover improper procedure, it is required to bring the matter to the attention of the minister or chief of the major public authority concerned. If required, the Presidential Office will make recommendations to the Council of Ministers for the elimination of the malpractice.

The Presidential Office is also responsible for the timely publication of the proper text of the decrees and resolutions of the Council of Ministers. In the case of resolutions of the National Economic Council, the responsibility rests with the Secretariat of that agency.

The Presidential Office and the Secretariat of the National Economic Council, respectively, are required to investigate whether the ministries and major public authorities have made the necessary provisions for the execution of the laws and resolutions published in the Official Gazette and the Collection of Resolutions (9 and 11, above). In case the Presidential Office or the

STAT

Secretariat of the National Economic Council should discover improper procedure, it is required to bring the matter to the attention of the ministry or chief of the major public authority concerned. If required, the Presidential Office or the Secretariat of the National Economic Council will make recommendations to the Council of Ministers or the National Economic Council for the elimination of the malpractice.

13. The Presidential Office in cooperation with the ministries concerned, will provide for the timely and proper dissemination of information in the press concerning any law or resolution which has appeared in the Official Gazette or in the Collection of Resolutions and is of interest to the general public.

14. Orders and communications issued by the ministries or other major public authorities must be published in the official gazette of the respective ministry or major public authority.

The official gazettes of the ministries and major public authorities are not placed in general circulation. Each minister and chief of a major public authority is required to issue regulations on the authorized recipients of the official gazette concerned.

15. Confidential communication takes place by transmission of all or part of the text of the regulation to the interested parties.

The ministers and chiefs of major public authorities are required to see that all officials of the ministry or major public authority engaged in the execution of a confidential resolution are familiar with the full text or appropriate part of the resolution in question. The minister or chief of a major public authority, or his deputy, will designate the officials responsible for execution of the confidential resolution and discuss with them, preferably in person, the necessary measures to be taken. An official designated by the minister for this purpose, e.g., chief of the Secretariat, will note on a copy of the resolution the names of the persons to whom the resolution or part of the resolution has been communicated for execution and notify the control [security] department thereof.

III. IMPROVEMENT OF THE STYLE OF RESOLUTIONS

16. It is the responsibility of each minister that all recommendations submitted to the Council of Ministers or the National Economic Council, as well as all decrees and orders issued, are prepared in clear, simple, and easily understood language.

17. The Ministry of Justice -- if necessary, in cooperation with the other ministries -- is required to prepare and submit for approval to the Council of Ministers within 3 months a guide containing the basic principles for the preparation and style of resolutions. Application of the basic principles, after their approval by the Council of Ministers, will be mandatory for all authorities.

18. The Ministry of Justice is also required to organize training and advanced training courses for personnel engaged in the preparation of resolutions. The training plan must not interfere with the work schedules of the trainees. The object of the training is to make available by the end of 1952 for each ministry and major public authority at least one employee trained in the preparation of resolutions.

STAT

19. It is the responsibility of the Ministry of Justice to introduce effectively the basic principles approved by the Council of Ministers into the preparation of the decrees and resolutions issued by the Council of Ministers. Should the Ministry of Justice discover that the principles are being disregarded, it is required to bring the matter to the attention of the Council of Ministers. The Ministry of Justice must guard against the submission to the Council of Ministers of recommendations which conflict with previously issued regulations amendment of which is not justified. Such conflicting recommendations must also be pointed out by the Ministry of Justice.

20. This resolution will become effective on 1 January 1952. Paragraphs 8 and 10-14 of Resolution No 1,009 of the Council of Ministers of 6 May 1951 relative to the execution of laws and resolutions are revoked.

Signed: Istvan Dobi, President, Council of Ministers

- E N D -

- 6 -